



Department of Energy

Washington, DC 20585

December 18, 2001

MEMORANDUM FOR DISTRIBUTION

FROM:

J. S. Mahaley
JOSEPH S. MAHALEY, DIRECTOR
OFFICE OF SECURITY

SUBJECT:

U.S. DEPARTMENT OF STATE POLICY REGARDING COUNTRY
CLEARANCE FOR OFFICIAL FOREIGN TRAVEL BY DOE
CONTRACTORS

On May 23, 2001, President George W. Bush issued a Letter of Instruction (attachment 1) to Chiefs of Mission at all United States Embassies worldwide. On August 21, 2001, the Executive Secretary, United States Department of State, transmitted the text of the Letter of Instruction to all Department and Agency Executive Secretaries (attachment 2). Paragraphs 9 and 16 of that Letter of Instruction are of special interest and pertain directly to official foreign travel and the associated DOE country clearance requirements. These paragraphs are quoted below for your ready reference:

"9. IN CHARGING YOU TO EXERCISE FULL RESPONSIBILITY FOR ALL EXECUTIVE BRANCH PERSONNEL [IN COUNTRY/AT INTERNATIONAL ORGANIZATION] EXCEPT ELEMENTS AND PERSONNEL UNDER THE COMMAND OF A U.S. ARE A MILITARY COMMANDER OR ON THE STAFF OF AN INTERNATIONAL ORGANIZATION, I WISH TO MAKE CLEAR THAT THIS ENCOMPASSES ALL AMERICAN AND FOREIGN NATIONAL PERSONNEL, IN ALL EMPLOYMENT CATEGORIES, WHETHER DIRECT HIRE OR PERSONAL SERVICES CONTRACT, FULL- OR PART-TIME, PERMANENT OR TEMPORARY [REGARDLESS OF WHERE LOCATED IN YOUR COUNTRY OF ASSIGNMENT]. ALL EXECUTIVE BRANCH AGENCIES UNDER YOUR AUTHORITY, AND EVERY ELEMENT OF YOUR MISSION, MUST KEEP YOU FULLY INFORMED AT ALL TIMES OF THEIR CURRENT AND PLANNED ACTIVITIES SO THAT YOU CAN EFFECTIVELY CARRY OUT YOUR RESPONSIBILITY FOR UNITED STATES GOVERNMENT PROGRAMS AND OPERATIONS [IN COUNTRY/AT INTERNATIONAL ORGANIZATION]. YOU HAVE THE RIGHT TO SEE ALL COMMUNICATIONS TO OR FROM MISSION ELEMENTS, HOWEVER TRANSMITTED, EXCEPT THOSE SPECIFICALLY EXEMPTED BY LAW OR EXECUTIVE DECISION."

"16. ALL UNITED STATES GOVERNMENT PERSONNEL (OTHER THAN THOSE ELEMENTS AND PERSONNEL IN COUNTRY UNDER THE COMMAND OF A U.S. ARE A MILITARY COMMANDER OR ON THE STAFF OF AN INTERNATIONAL ORGANIZATION) MUST OBTAIN COUNTRY CLEARANCE BEFORE [ENTERING (COUNTRY)/VISITING (INTERNATIONAL ORGANIZATION)] ON OFFICIAL BUSINESS. YOU MAY REFUSE COUNTRY CLEARANCE MAY PLACE CONDITIONS OR RESTRICTIONS ON VISITING PERSONNEL AS YOU DETERMINE NECESSARY."

Initial SO staff assessment of the Department of State (DOS) Letter of Instruction, referenced and quoted above, concluded that country clearance would now be required for all DOE federal and contractor personnel traveling to both sensitive and nonsensitive countries. This expanded



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